

**DINN  
HOCHMAN  
&  
POTTER, LLC**

5910 Landerbrook Drive  
Suite 200  
Cleveland, OH 44124  
440 • 446 • 1100  
440 • 446 • 1240 (FAX)  
dhp@dhplaw.com (E-Mail)  
www.dhplaw.com

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**ATTORNEYS**

Writer's Direct Dial  
(440) 544-1119  
rmcintyre@dhplaw.com

November 13, 2018

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**VIA CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**  
**AND REGULAR U.S. MAIL**

Barbara Langhenry, Director of Law  
City of Cleveland  
601 Lakeside Avenue  
Cleveland, Ohio 44114

**Re: "Old" Ontario and MLO Property Trust**

Dear Ms. Langhenry:

As you are aware, I have not only written you in the past on behalf of my client regarding this situation, but have also exchanged communications both via e-mail and telephone with your colleague, Richard Bertovich. It appears from these communications that the City is presently:

1. Reluctant to definitively discuss the situation regarding 'Old' Ontario and my client's property;
2. Is similarly reluctant to provide any records or other information that would support the City's assertions that:
  - (a) The City could transform/alter a public right of way without any apparent judicial and/or legislative action;
  - (b) The City has any powers under the Ohio Revised Code or its Charter/existing Ordinances to alter the use of 'Old' Ontario from a public street right of way to greenspace/park.

Therefore, in view of the foregoing, I am required to advise you again that in the present context that I continue to represent the MLO Property Trust which is the owner of certain land in the City of Cleveland located generally at the intersection of Carnegie Avenue and Ontario Street. This land is also described in the records of Cuyahoga County as Permanent Parcel No(s). 101-31-009, 101-31-014, and 101-31-015.

**EXHIBIT "D"**

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Pursuant to the Ohio Open Records Law, §149.43 et seq., I am requesting that the City of Cleveland promptly make available for inspection and copying all documents, records, or information as kept in physical and/or electronic form with regard and/or related, but not limited to:

1. The alteration of the right of way of that part of Ontario St. which was/is:

(a) Appurtenant to the above land on the westerly line of the right of way of Ontario;

(b) Changed in use from a public street right of way to greenspace/park;

(c) Specifically, but not as a limitation:

- i. Any legislative or judicial abandonment or alteration/modification of said right of way;
- ii. Any judicial taking by reason of eminent domain or otherwise;
- iii. Any communication and/or interaction with any governmental agency.

Please be advised that I am requesting that any costs associated with complying with this request that exceed \$100.00 be disclosed to me in advance in writing.

I am requesting a prompt response to this request; however, if you expect a delay in responding to this request will exceed 30 calendar days, please notify me in writing within 10 business days of the receipt of the request the anticipated date at which the request will be satisfied.

If you have any other questions, please contact me at your convenience at the contact information on this request.

Very truly yours,

Robert W. McIntyre